

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 9

January 22, 2023

SUMMARY OF BILL: Establishes that medical records, law enforcement investigative reports, 911 call recordings, photographs, and any other recordings related to a death are not public records if the law enforcement agency investigating a death determines, following a death investigation, that the death was not the result of a crime. Prohibits government agencies from releasing any such records unless pursuant to a valid court order.

Establishes that video taken by a law enforcement body camera in the investigation of a death that depicts the interior of a private residence must be treated as confidential and not subject to public inspection if it is determined by the law enforcement agency that the death was not the result of a crime.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. § 38-7-110(c), medical records, law enforcement investigative reports, photographs, and video and other images of deceased persons are not public records.
- The proposed legislation adds the stipulation that these records are not public in cases in which the law enforcement agency investigating the death determines, following a death investigation, that the death was not the result of a crime. It also adds 911 recordings any other recordings related to a death to the existing list of records that shall not be public records in such cases.
- Making 911 recordings and video depicting the interior of a private residence confidential records and preventing them from public inspection will not affect the revenue or expenditures of state or local authorities.
- Any fiscal impact to state or local government is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid, with the first letters of each name being capitalized and prominent.

Krista Lee Carsner, Executive Director

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